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Testimony of Ilir Zherka, Executive Director of DC Vote Before the House Government Reform Committee Rayburn House Office Building Room 2154 Wednesday, June 23, 2004 10:00 AM

Mr. Chairman, members of Committee, I would like to thank you for inviting me to testify at this historic hearing on how we fulfill the promise of American Democracy for people living in the capital of the free world.

Founded in 1998, DC Vote is an educational and advocacy organization dedicated to securing full voting representation in Congress for the residents of the District of Columbia.

The United States of America was founded on the principle that people have an inalienable right to shape the laws under which they live. Sadly, that is not a right shared by those who live in our nation's capital.

Since 1801, DC residents had been denied local autonomy and any form of voting representation in the U.S. Government. Only under international pressure in 1961 did Congress pass the 23rd Amendment to the U.S. Constitution giving Washingtonians limited voting rights in presidential elections. In 1971, for the first time in nearly a hundred years, DC residents were granted a non-voting Delegate to the House of Representatives and given limited, local autonomy. In 1978, the Congress passed the "DC Voting Rights Amendment," with over two-thirds of each chamber supporting the legislation. Sixteen states had ratified the Amendment in 1985 when the time limit for its passage came to an end. The amendment fell short of the thirty-eight states (three-fourths of the various states) needed for the amendment to go into effect. The amendment would have given Washington, DC, representation in the House of Representatives according to the population and two U.S. Senators. In 2001, the Supreme Court, in *Alexander v. Daley*, made clear that DC's status must be changed through legislative action.

Residents of Washington, DC pay taxes, serve our country in times of war, and are subject to Federal laws, but have no vote in Congress. To make matters worse, Congress continues to restrict the rights of DC residents. Other Americans have a direct say, through their local government, over the laws that affect them locally. But Washingtonians do not have that right. The Congress gives itself the power to review and approve every line of DC's budget, and freely and often restricts how locally raised revenues are spent.

Such federal interference in local affairs would be unthinkable in any other jurisdiction in the United States.

We are seeking voting representation principally so that residents will have more power over their lives, a greater say in the passage of Federal laws under which they live, and more influence over regulations or laws that directly affect DC. When polled, 72% of Americans support giving District residents equal voting rights in both the House of Representatives and the Senate.

Defenders of the *status quo* argue that the Founders intentionally gave the nation's capital a special status. While that is true, there is no evidence that the Founders intended to disenfranchise citizens living in the area that would become the nation's capital. In fact, the Constitution neither provides nor denies residents living in the capital voting representation in the Congress. This anomaly can be changed. Our country has risen to rectify other injustices that some have argued were intended by our Founders, such as the denial of voting rights to women, minorities and those having reached the age of eighteen.

Additionally, every nation that used the U.S. Constitution as a model for their own constitution – Argentina, Australia, Brazil, India, Mexico and Venezuela – has long since provided full voting representation in the national legislature for the residents of their capitals or federal districts. In fact, such representation is provided to residents of all democratic nations around the world, but not in the United States.

This hearing offers hope that things will change, for this hearing is not about whether DC should have voting representation, but how to achieve that result.

DC Vote supports the No Taxation Without Representation bill reintroduced in 2003 by Senator Joe Lieberman and Congresswoman Eleanor Holmes Norton. The bill leaves DC in tact, treats DC like a state for purposes of representation, and provides equal representation in the House and Senate without amending the constitution. Congress already treats Washington, DC like a state for purposes of federal law and regulations. We think that is the right approach. But, we also believe that for a bill to be enacted, it must have bi-partisan support. Unfortunately, none of the bills we are discussing today has such support thus far.

As the Congress considers how to provide, on a bi-partisan basis, voting representation for DC, we would like to offer two principles. First, be creative. Other countries with Federal cities have solved this problem in different ways. In Australia, for example, the two senators representing the capital, Canberra, serve three-year terms, rather than the six-year terms that Senators from the states serve. Chairman Davis' idea of adding two seats to the House is certainly a creative approach and should be seriously considered by all sides. We believe that voting representation in the U.S. House of Representatives for the District is important. We support efforts to achieve that result and encourage others to do the same. That said, we believe Congress should follow a second principle as well: pass a bill that provides representation in both chambers. This is bi-cameral legislature and DC's biggest disadvantage now is that it has

absolutely no representation, whether voting or otherwise, in the Senate. That must change and you have the power to change it now.

Mr. Chairman, Mr. Waxman, members of the Committee, as the United States fights wars and spends billions of dollars securing the right to voting representation for people living in Baghdad, Kabul, and elsewhere, let us also put an end to the shameful denial of voting representation for DC residents.

I commend you for holding this hearing and for your devotion to ending this injustice. I look forward to working with you and the Congress in the future and to your questions today.

Thank you.

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